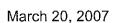
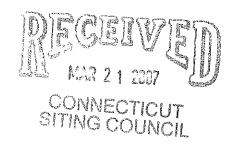


ATTORNEYS AT LAW





State of Connecticut Connecticut Siting Council Ten Franklin Square New Britain, CT 06051

Stephen T. Penny

Barry W. Botticello

Kevin M. O'Brien

William P. O'Brien

Thomas A. Robinson

RE:

Docket No. 328 - Optasite Towers LLC and Omnipoint Communications, Inc., application for a Certificate of Environmental Compatibility and Public Need / 1027 Middle Turnpike East, Manchester, Connecticut

Dear Sir/Madam:

Please be advised that our office represents, Robert D. Harrison, the owner of property at 943 Middle Turnpike, Manchester, CT, which property abuts the subject property.

Enclosed please find an original and 20 copies of Mr. Harrison's Request for Party Status in the above-referenced matter.

Should you need any further information or have any questions, please do not hesitate to contact our office.

Very truly yours,

Theresa S. Galica

Paralegal

/tsq

**Enclosures** 

CC:

Mr. Robert D. Harrison (w/enclosure)

202 West Center Street
Manchester, Connecticut 06040
PHONE 860.646.3500
FAX 860.643.6292
WEBSITE www.manchesterattorneys.com

## STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Date:

March 20, 2007

Re:

Docket No. 328- Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 1027 Middle Turnpike East, Manchester, Connecticut.

## REQUEST FOR PARTY STATUS

1. Petitioner:

Robert D. Harrison

c/o Stephen T. Penny, Esquire Penny, Botticello & O'Brien, P.C.

202 West Center Street Manchester, CT 06040

Tel.:

(860) 646-3500

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(860) 643-6292

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- 2. Petitioner claims to be substantially and specifically affected as he is the owner of property located at 943 Middle Turnpike East, Manchester, Connecticut, which abuts the subject property immediately westerly thereof, and is located within the 130-150' fall zone of the proposed personal communications services tower if constructed on the alternate site.
- 3. It is the contention of the Petitioner that the proposed location and manner of construction is not in conformance with the Manchester Zoning Regulations, which while not legally dispositive in the circumstances, should be given weight by this council. The Petitioner further contends that the proposed location and manner of construction are not consistent with the Inland-Wetland Regulations of the Town. Petitioner contends as well that any manufactured breakpoint proposed for the tower will not afford meaningful protection to the Petitioner or his property. Petitioner contends that the applicant has not adequately addressed the visual impact of the tower from neighboring properties. Petititioner also reminds the council that an earlier application for the same primary and alternate sites was withdrawn when the council challenged that applicant about its failure to explore a number of alternative sites offering less impact on neighboring residential properties.
- 4. The relief sought by the Petitioner is disapproval of the proposed Alternate Site.

- 5. The statutory or other authority for such relief is found in Chapter 277a of the Connecticut General Statutes.
- 6. The nature of evidence that the Petitioner intends to present includes copies of the relevant sections of the Manchester Zoning and Inland-Wetland Regulations, various documents placed in evidence by the Applicant showing the location of the Petitioner's property and wetlands with respect to the proposed Alternate Site.

PETITIONER
Robert D. Harrison

Stephen T. Penny

Penny, Botticello & O'Brien, P.C.

202 West Center Street

Manchester, CT 06040

Tel. (860) 646-3500 Juris No. 02225